

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>U.S. BEVERAGE, INC.</b>	)
	)
<b>Plaintiff,</b>	)
	)
<b>v.</b>	) <b>Civil Action No. 2:06-CV-496-SRW</b>
	)
<b>JOHN BUSTER WALKER, II; and</b>	)
<b>TRIDENT MARKETING, INC.;</b>	)
	)
<b>Defendants.</b>	)
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<b>JOHN BUSTER WALKER, II; and</b>	)
<b>TRIDENT MARKETING, INC.;</b>	)
	)
<b>Counterclaim Plaintiffs,</b>	)
	)
<b>v.</b>	)
	)
<b>U.S. BEVERAGE, INC.;</b>	)
	)
<b>Counterclaim Defendant,</b>	)
	)
<b>and</b>	)
	)
<b>GRADY DOWLING KITRELL;</b>	)
<b>THOMAS GOING CLARK, III; and</b>	)
<b>NORMAN“Buddy” TODD;</b>	)
	)
<b>Third Party Defendants.</b>	)

**JOINT STATUS REPORT**

Plaintiff U.S. Beverage, Inc. and Defendants John Walker and Trident Marketing, Inc., hereby jointly respond to this Court's order dated November 8, 2006, requesting the filing of a Joint Status Report regarding the status of discovery and the necessity of a preliminary injunction hearing. The parties jointly state as follows:

1. The parties have finished all depositions necessary for a preliminary injunction hearing. The parties do have some remaining document discovery based upon information obtained during the depositions.

2. The parties have completed the majority of discovery necessary for any hearing regarding injunctive relief; however, the parties believe that there is a reasonable chance that they may be able to resolve the issues in the case short of any hearing. For this reason, the parties are considering mediation prior to any hearing.

3. As the parties are having ongoing negotiations, all parties jointly request that the Court allow the parties one month to attempt to resolve the case prior to a hearing. The parties will, upon the Court's approval, jointly file another status report on December 15, 2006.

Wherefore, Plaintiff U.S. Beverage and Defendants Trident Marketing and John Walker jointly request that the parties be given until December 15, 2006 to reach a mutual resolution, with the parties to file another joint status report on December 15, 2006.

DATED this the 17<sup>th</sup> day of November, 2006.

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